

REMARKS/ARGUMENTS

The Office Action mailed October 6, 2004 has been carefully considered.

Reconsideration in view of the following remarks is respectfully requested.

Claims 1, 21, 26, and 45 have been amended to further particularly point out and distinctly claim subject matter regarded as the invention. The text of claims 2-5, 9, 13, 22-24, 27-29, 46-48, and 50-71 is unchanged, but their meaning is changed because they depend from amended claims.

In view of the Examiner's earlier restriction requirement, Applicant retains the right to present claims 30-44 in a divisional Application.

The 35 U.S.C. § 102 Rejection

Claims 1, 2, 5, 13, 21, 25, 26, 45, 49, 51, 53-56, 58-61 and 63-71 were rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Perkins¹. This rejection is respectfully traversed.

According to the M.P.E.P., a claim is anticipated under 35 U.S.C. § 102(a), (b) and (e) only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.²

¹ U.S. Patent No. 5,159,592

² Manual of Patent Examining Procedure (MPEP) § 2131. See also *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

In the "Response to Amendment" section of the Final Office Action, the Patent Office alleges that "the term 'home domain' as it is taken in the art, can be interpreted as, 'a subset of a population.' Perkins discloses that in the Multiple interactive global Gateways embodiment (col. 8, lines 45-67), that each global gateway 18 is associated with a different 'pseudo-network' number, which can correctly identify and distinguish a home HGS from a plurality of HGS servers (col. 8, lines 57-60). Perkins furthermore discloses that 'if each global gateway has separate pseudo-networks, then IP routing will automatically send IP packets to the correct global gateway that is *primarily responsible for a mobile unit*' (col. 8, lines 62-65, emphasis added). This feature will correctly identify the home domain for the mobile unit." Applicant respectfully disagrees.

The term "domain" as commonly used in the art is a set of actual network addresses (e.g., IP addresses). The Office Action seems to be alleging that a subset of pseudo-network addresses would also be a domain, and would be a domain distinct from another set of pseudo-network addresses. However, this interpretation is contrary to how the term "domain" is commonly used in the art. The system described in Perkins contains multiple pseudo-domains within a single domain. The HGS that the Final Office Action alleges is in Perkins is in fact a gateway associated with a group of pseudo-network addresses, but is still within the same domain as all the other gateways described in Perkins. Applicant is unaware of a general term that could be used to describe such a design, but one could argue that this is a "pseudo-domain" inside the actual domain.

Applicant has amended claims 1, 21, 26, and 45 to make this distinction more clear.

Namely, the home HGS and the plurality of HGS servers that the Final Office Action alleges is contained in Perkins are all in fact within the same single domain. Hence, the "home domain" that is alleged to be in Perkins is not, in fact, distinct from the domain associated with the NAS, and thus Applicant respectfully maintains that claims 1, 21, 26, and 45 are in condition for allowance.

As to dependent claims 2-5, 9, 13, 22-24, 27-29, 46-48, and 50-71, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable.

Request for Entry of Amendment

Entry of this Amendment will place the Application in better condition for allowance, or at the least, narrow any issues for an appeal. Accordingly, entry of this Amendment is appropriate and is respectfully requested.

Conclusion

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Respectfully submitted,

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